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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,985	07/29/2003	David D. Bohn	10003188-4	9204

7590 08/31/2005  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

DHARIA, PRABODH M

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 08/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/629,985	BOHN, DAVID D.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Prabodh M. Dharia	2673	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>01-12-04</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

***Priority***

1. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 120 as follows: Applicant has failed to provide Application **No. 09544513, and filing date February 15, 2002.** Applicant also has failed to provide for benefit claims under 35 U.S.C. 120, the relationship (i.e., continuation, divisional, or continuation-in-part) of all nonprovisional applications and **the current status of all nonprovisional parent applications (specifically patented or not and if patented, assigned patent number)** referenced should be included.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 7-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Burnett et al. (5,870,080).

Regarding Claim 7, Burnett et al. teaches a program storage medium readable by a computer (100 in Figure 1, Col. 4, Lines 26,27) tangibly embodying a program of instructions executable by the computer to perform method steps for transferring data via a computer pointing device (120 of Figure 1, Col. 4, Line 26) with an integrated IR bridge said method comprising: (Col. 4, Lines 26-39) initiating communication between an IR equipped and a

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computer pointing device with an IR bridge determining what graphical object of a graphical user interface a cursor is positioned over (Col. 6, Lines 25-29); and processing data according to what graphical object represents (Col. 6, Lines 34-39).

Regarding Claim 8, Burnett et al. teaches, that a graphical object comprises an icon and processing comprises taking an action represented by the Icon (Col. 6, Lines 34-39).

Regarding Claim 9, Burnett et al. teaches, a graphical object comprises a screen area and processing comprises transferring between said IR equipped device and said screen area (Col. 6, Lines 34-40).

Regarding Claim 10, Burnett et al. teaches, that a graphical object represents a file and processing comprises transferring the file between IR equipped device and a host computer (Col.7, Lines 9-31).

Regarding Claim 11, Burnett et al. teaches, the initiating of communication does not involve a user interfacing with computer pointing device with an IR bridge (Col. 6, Line 59-67).

Regarding Claim 12, Burnett et al. teaches, the initiating of communication comprises a user action and not on said computer pointing device with an IR bridge (Col. 4 Lines 46-52).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6, 13-18, are rejected under 35 U.S.C. 103(a) as being unpatentable over Burnett et al. (5,870,080).

Regarding Claim 1, Burnett et al. teaches, a computer (100 of figure 1, Col. 4, Line 26,27) operable method, comprising: Initiating communication between an IR equipped (140 of Figure 1, Col. 4, Line 40,41) and a computer pointing device (120 of figure 1, Col. 4, Line 27) with an IR bridge (or transceiver) (124 of figure 1, Col. 4, Lines 33,34); determining what position and command state of the pointing device and processing data according to what command or file pointing device is positioned over and processing data communicated (Col. 6, Lines 34-39) via the IR bridge (140 of Figure 1, Col. 4, Lines 40,41) according to what said graphical object represents. Burnett et al. also teaches, EM pulses are infrared (IR) light and the sensor /emitter positioned on the outside of the device housing to collect and broadcast the IR pulses. Further a transceiver manufactured for IR sensor is to the IR standard proposed by Infrared Data Association ("IRDA") allowing more than one IRDA compatible peripheral to be controlled by the same transceiver in the pointing device attached to a computer (Col.2, Lines 62-67 to Col.3, Lines 1-3, Col. 5, Lines 2-6). Burnett et al. shows Figure 1 illustrates the

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invention using a printer, the use of other similarly equipped peripheral devices will be apparent to those skilled in the art. (Col. 4, Lines 63-67)

However Burnett et al. does not teach specifically a graphical object of a graphical user interface.

Since the GUI is inheritant to a computer, thus it is obvious to one in ordinary in the skill of art at the time of invention was made to incorporate a GUI. Thus a graphical object (Bit map of a command) or an icon (a picture representation of command) help understand function of a command better.

Regarding Claim 2, Burnett et al. teaches, a graphical object (Bit map of a command) comprises an Icon (command) and processing comprises taking an action represented by said Icon ( Col. 6, Lines 34-39).

Regarding Claim 3, Burnett et al. teaches a computer is equipped with monitor, key board, mouse, memory and processor (Col. 4, Lines 26-28) and a graphical object comprises a screen area and processing comprises transferring between IR equipped device and screen area (Col. 6, Lines 34-40).

Regarding Claim 4, Burnett et al. teaches, a graphical object represents a file and processing comprises transferring the file between IR equipped device and a host computer (Col.7, Lines 9-31).

Regarding Claim 5, Burnett et al. teaches, the initiating of communication does not involve a user interfacing with computer pointing device with an IR bridge (Col. 6, Line 59-67).

Regarding Claim 6, Burnett et al. teaches, the IR communication between host computer and peripheral (Col. 2, Lines 49-61).

However Burnett et al. does not teach specifically the user action required to initiate the communication.

Since the IR equipped device has to be electrically ready to communicate, information retrieval, and supply needed to operate peripheral, require user action is inheritant to a peripheral, thus it is obvious to one in ordinary in the skill of art at the time of invention was made that to incorporate user action required when initiation of IR communication between host computer and peripheral. Thus failure of communication does not occur.

Regarding Claims 13, 14, Burnett et al. teaches, an user interface for transferring data between a host computer and another device via an infrared link, has an infrared link integrated into a pointing device communicating with host computer (Col.4, Lines 31-34).

However Burnett et al. does not teach specifically a GUI running on host computer, GUI executes at least one function of a plurality of possible functions relating to data that is transferred via IR link in response to the initiation of a data transfer over IR link and a position of a cursor controlled by the pointing device when the data transfer is initiated.

Since other peripheral like key board, mouse, monitor, and the GUI is inheritant to a computer, thus it is obvious to one in ordinary in the skill of art at the time of invention was

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made to incorporate a GUI running on host computer, GUI executes at least one function of a plurality of possible functions relating to data that is transferred via IR link in response to the initiation of a data transfer over IR link and a position of a cursor controlled by the pointing device when the data transfer is initiated. Thus without moving position of the mouse, requested bit map down loaded using other peripheral like key board.

Regarding Claim 15, Burnett et al. teaches, computer includes memory (100 of Figure1, Col. 4, Lines 27,28)

However Burnett et al. does not teach specifically a function is to store data in a file and the pointing device pointing at as a command is processed by host computer.

Since clip board is inheritant to a computer, thus it is obvious to one in ordinary in the skill of art at the time of invention was made to incorporate the clip board to store data in a file; the pointing device pointing at as a command is processed by host computer. Thus stored file on the clip board is carried over to several other applications and a position of a cursor controlled by the pointing device when the data transfer is initiated. Thus without moving position of the mouse, requested bit map down loaded using other peripheral like key board.

Regarding Claim 16, Burnett et al. does teach the data transfer via standard IR communication (Col. 6, Lines 25-67, Col. 4, Lines 47-53).

However Burnett et al. does not teach specifically to insert an object in a entry box cursor is pointing over.



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Since down loading is inheritant to computer, thus it is obvious to one in ordinary in the skill of art at the time of invention was made to incorporate the down loading of bit map of an object and insert an object in a entry box cursor is pointing over. This creates the colorful brochure.

Regarding Claim 17, Burnett et al. also does teach the host computer process the file request command, pointing device is positioned over to peripheral having IR transceiver, and the data file transfers via standard IR communication (Col. 4, Lines 35-42).

Regarding Claim 18, Burnett et al. does teach host computer process the file request command, pointing device is positioned over from peripheral having IR transceiver, and data file transfers via standard IR communication (Col. 4, Lines 47-53).

Burnett et al. teaches a computer is equipped with monitor, key board, mouse, memory and processor (Col. 4, Lines 26-28) and a graphical object comprises a screen area and processing comprises transferring between IR equipped device and screen area (Col. 6, Lines 34-40).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Scott (6,083,270) Devices and methods for interface human users with electronic devices.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prabodh M. Dharia whose telephone number is 571-272-7668.

The examiner can normally be reached on M-F 8AM to 5PM.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:


Commissioner of Patents and Trademarks

Washington, D.C. 20231

PD

AU2673

August 23, 2005



VIJAY SHANKAR  
PRIMARY EXAMINER